

# BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

## MEETING MINUTES

The Board for Professional Soil Scientists and Wetland Professionals met on May 4, 2006, at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia, with the following members present:

Robert B. Atkinson  
W. Lee Daniels  
David L. Davis  
John M. Galbraith

Board members Nancy G. Barker, Alice Coles, and Carl D. Peacock, Jr., were not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
David Ashe, Chief Deputy  
Karen W. O'Neal, Deputy Director of Licensing and Regulation  
Mark N. Courtney, Executive Director  
Sharon Sweet, Examinations Administrator  
Marian N. Brooks, Program Administrator  
Michelle Gowen, Administrative Assistant  
Earlyne Perkins, Legal Assistant

No representative from the Office of the Attorney General was present for the meeting.

Finding a quorum of the Board present, Mr. Davis, Chair, called the meeting to order at 10:08 a.m.

### Call to Order

Mr. Davis introduced new DPOR Director, Jay W. DeBoer, and new Chief Deputy, David Ashe, and welcomed them on behalf of the Board.

### Welcome and Introduction of New Director and Chief Deputy

Mr. Daniels moved to approve the agenda. Mr. Galbraith seconded the motion which was unanimously approved by members: Atkinson, Daniels, Davis, and Galbraith.

### Approval of Agenda

Mr. Daniels moved to approve the minutes from the October 12, 2005, Board meeting. Mr. Galbraith seconded the motion which was unanimously approved by members: Atkinson, Daniels, Davis, and Galbraith.

### Approval of Minutes

**Public Comment Period** – No comments were made to the Board members.

### Public Comment Period

Sharon Sweet, Examinations Administrator, requested that the Board members consider contracting with an outside vendor for a soil scientist examination workshop. Ms. Sweet went over the history of the soil scientist examination and explained the purpose of the workshop and benefits. Mr. Daniels made a motion that the Board accept the proposal to contract for examination development services for the soil scientist examination. Mr. Galbraith seconded the motion which was unanimously approved by members: Atkinson, Daniels, Davis and Galbraith.

**Discussion of Soil Scientist Examination Workshop**

The Board member were provided with an e-mail received from Mr. McDowell on May 3, 2006, in response to the Summary of the Informal Fact-Finding Conference.

**File Number 2006-03471, A. Scott McDowell**

Regarding **File Number 2006-03471, A. Scott McDowell**, the Board reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits, the Summary of the Informal Fact-Finding Conference, and Mr. McDowell's e-mail. Mr. Atkinson moved to accept the recommendation of the presiding Board member and deny Mr. McDowell's application for certification as a wetland delineator as he has not submitted adequate proof that he is able to properly identify vegetation indicators for the delineation of wetlands. Mr. Galbraith seconded the motion which was approved unanimously by members: Atkinson, Daniels, Davis, and Galbraith.

The Board members reviewed a legislative proposal for consideration for the 2007 session to change the waiver period for certification in §54.1-2206.2 of the *Code of Virginia* from two years to six years. Mr. Daniels made a motion that the Board submit the proposed legislation for consideration for the 2007 legislative session. Mr. Atkinson seconded the motion which was unanimously approved by members: Atkinson, Daniels, Davis, and Galbraith.

**Discussion of Legislation**

The Board members were provided with the Board financial statements for March 2006 for informational purposes.

**Review Financial Statements**

Mr. Courtney informed the Board members that elections of Board officers will be held at their next meeting and, in accordance with the Board's practice, a soil scientist member will serve as Chair and a wetland delineator member will serve as Vice-Chair.

**Other Business**

Mr. Courtney presented the Board with the charts prepared by Department staff to show application volumes and regulant populations from 2002 through March 2006.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest**

There being no further business, the meeting was adjourned at 10:50 a.m.    **Adjournment**

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David L. Davis, Chair

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Jay W. DeBoer, Secretary